

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNI-CON FLOORS, INC.
Plaintiff,

v.

BRICKLAYERS & ALLIED CRAFTSMEN)
UNION, LOCAL 3 – EASTERN)
MASSACHUSETTS,)
Defendant.)

C.A. No.: 05-10463 NG

**CERTIFICATION OF COUNSEL
FOR BRICKLAYERS & ALLIED CRAFTSMEN
UNION, LOCAL 3—EASTERN MASSACHUSETTS**

NOW COMES counsel for the Defendant, Bricklayers & Allied Craftsmen Union, Local 3—Eastern Massachusetts (“Union”) and, pursuant to Local Rule 7.1(A)(2) of the United States District Court for the District of Massachusetts, hereby certify as follows:

1. On November 2, 2006 I conferred with Francis A. Shannon III, Esq., counsel of the Intervening Party Colonial Surety Company, in an attempt to resolve or narrow the issues contained in Defendant’s Post-Judgment Motion for Approval of Trustee Process. Attorney Shannon and I were unable to resolve or narrow the relevant issues contained in Defendant’s Post-Judgment Motion for Approval of Trustee Process; and
2. On November 2, 2006, I left a message for David M. Fleury, counsel for Plaintiff Uni-Con Floors, Inc., in an attempt to resolve or narrow the issues contained in Defendant’s Post-Judgment Motion for Approval of Trustee Process. I was unable to reach Attorney Fleury and have not received a return phone call from him.

Respectfully submitted,

For Defendant Bricklayers &
Allied Craftsmen Union,
Local 3—Eastern Massachusetts

By its Attorney

/s/ Jonathan M. Conti

Jonathan M. Conti, BBO#657163
Feinberg, Campbell & Zack, P.C.
177 Milk Street
Boston, MA 02109
(617) 338-1976

Dated this 3rd day of November 2006.

Certificate of Service

I, Jonathan M. Conti, Esq. hereby certify that a copy of Certification of Counsel For Bricklayers & Allied Craftsmen Union, Local 3—Eastern Massachusetts was served this 3rd day of November, 2006 by First Class Mail upon the following:

David M. Fleury, Esq.
Carmichael & Zajac, P.C.
170 High Street
Taunton, MA 02780

-and-

Francis A. Shannon III, Esq.
Shannon Law Associates, Inc.
One Bowdoin Square, 9th Floor
Boston, MA 02114.

/s/ Jonathan M. Conti

Jonathan M. Conti